

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BARRY YOUNG,

Plaintiff,

v.

PENNSYLVANIA HUMAN RELATIONS
COMMISSION,

Defendant.

Civil Action No. 07-3575

MEMORANDUM & ORDER

May 16, 2008

Before the court is plaintiff's timely *pro se* motion to reconsider the court's dismissal of this action in its order of May 2, 2008. *See* Docket Nos. 7-8. Upon reconsideration, the court acknowledges plaintiff's citation to Eleventh Amendment doctrine holding that the Eleventh Amendment does not bar civil actions against individual state officers sued in their personal capacity. The court hereby clarifies that its order of May 2, 2008, was a dismissal without prejudice, meaning that plaintiff is not barred from bringing these claims again if he amends his complaint to cure the defect in his prior complaint. Plaintiff shall have thirty days from the date of this order within which to refile this action as against individual state officers rather than against the state agency itself.

/s/ Louis H. Pollak

Pollak, J.